

Honorable Karen L. Strombom

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN L. MACION,

Defendant.

No. CR 13-5516

ORDER DENYING MOTION TO
SUPPRESS

The Defendant filed a Motion to Suppress Due to Lack of Probable Cause. Dkt. #10.
The Government filed its Response. Dkt. #11.
In his Motion, the Defendant admits that there are factual disputes. Considering the facts, for purposes of this motion, in the light most favorable to the government, it appears that the officer initially stopped the Defendant based on Mr. Macion's failure to stop at a stop sign. That traffic infraction was sufficient reason for the officer to pull Mr. Macion over. The officer decided to conduct further investigation based on his observations following the legitimate stop. That additional investigation led to the officer's determination that Mr. Macion was driving under the influence of alcohol. Based on that conclusion, Mr. Macion was arrested and charged.

1 Any disputes regarding these factual matters have to be resolved at trial and not by way
2 of a motion.

3 The Defendant's Motion to Suppress is DENIED.

4 DATED this 13th day of December, 2013.

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7 Karen L. Strombom
8 United States Magistrate Judge
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